

BILL NO. Z-76-03-32 (with conditions &
Restrictive Covenants)
(see attached)

ZONING MAP ORDINANCE NO. Z-05-76

AN ORDINANCE amending the City
of Fort Wayne Zoning Map No. 12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows
is hereby designated a B-3-B District under the terms of
Chapter 36, Municipal Code of the City of Fort Wayne, Indiana,
1946, as amended by General Ordinance No. 2836 and amendments
thereof; and the symbols of the City of Fort Wayne Zoning
Map No. 12, referred to therein, established by Section 9,
Article III of said Chapter as amended, are hereby changed
accordingly, to-wit:

A part of Lots 1, 2, 5 and 6 in J. Browning's
Subdivision of that part of Kercheval Reserve
lying in Township 31 North, Range 13 East,
Allen County, Indiana, more particularly
described as follows:

Commencing at the Southwest corner of Out Lot 2
in J. Browning's Subdivision, said corner also being
the Southeast corner of Lake Forest Addition,
Section 1, thence North 0° 24' 36" West 262.8
feet; thence South 89° 23' 36" East 1,029.91
feet to the centerline of the Waltke Ditch,
said point also being the Northeast corner of
Lake Forest Extended Addition, III, said point
also being the point of beginning for the tract
herein described; thence South 89° 47' East
694 feet to a point on the centerline of the
existing pavement of the Maysville Road; thence
South 22° 57' West 520 feet along the centerline
of the Maysville Road, a distance of 750 feet;
thence Northwesterly a distance of 221 feet more
or less to the Northeast corner of Lake Forest
Extended Addition, Section IV; thence North 39° 33'
West a distance of 625.45 feet to a point on the
centerline of the Waltke Ditch; thence North
34° 23' East along the centerline of the Waltke
Ditch, a distance of 344 feet to the point of
beginning, containing nine acres of land more
or less.

SECTION 2. This Ordinance shall be in full force
and effect from and after its passage, approval by the Mayor
and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY,

[Signature]
CITY ATTORNEY

[Signature]
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted: read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 3-23-76

Charles W. Waterman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-VOTE
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<u>X</u>				
HINGA	<u>X</u>				
HUNTER	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS				<u>A</u>	
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE:

6-8-76

Charles W. Waterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-05-76 on the 8th day of June, 1976.

ATTEST:

(SEAL)

Charles W. Waterman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of June, 1976, at the hour of 11:40 o'clock A. M., E.S.T.

Approved and signed by me this

9th

day of

June

, 1976.

at the hour of

5:00

o'clock

P. M., E.S.T.

Robert Edmestrom
CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 23, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-03-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

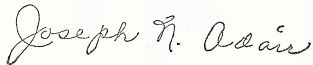
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 19, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS, AS AMENDED, WITH CONDITIONS AND RESTRICTIVE COVENANTS, as proposed in attached letter, for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan; ...

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 24, 1976.

Certified and signed this
1st day of June, 1976.



Joseph N. Adair
Secretary

Bill No. Z-76-03-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne-Zoning Map No. 12

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
Winfield C. Moses, Jr.
Donald J. Schmidt

CONCURRED IN

DATE 6/8/76 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 053

FT. WAYNE, IND.

19

RECEIVED FROM

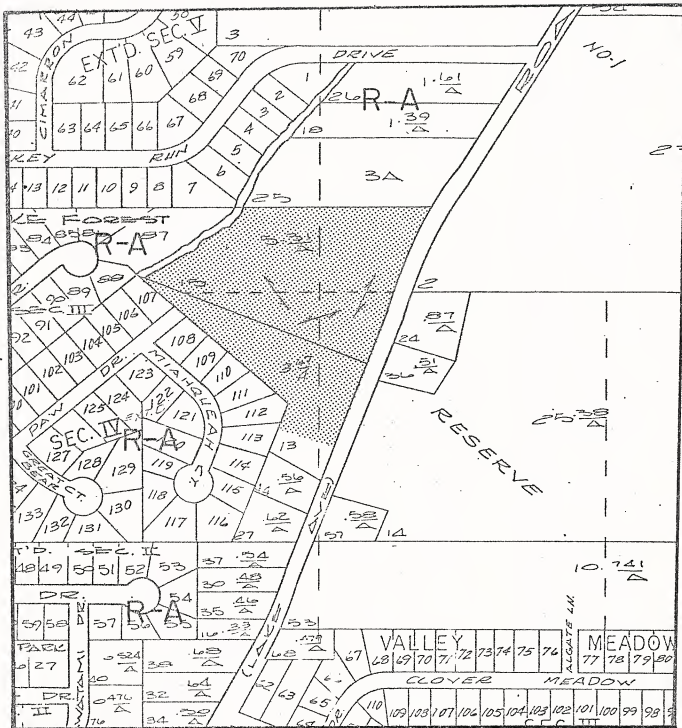
THE SUM OF

ON ACCOUNT OF

\$

DOLLARS

AUTHORIZED SIGNATURE



To be changed from R-A to B-3-B

MAP NO-12, LAKE FOREST

3-11-76.

L.S.

Bill No. Z-76-03-32



Date Filed

Executrix of the Estate of Raymond Goeglein.

(Applicant's Name or Names)

See attached description and sketch

(Legal Description)

(General Description for Planning Staff Use Only)

7411 Maysville Road

Fort Wayne, Indiana

Goeglein's, Inc. 622 S. Calhoun Street
BY: *[Signature]* Fort Wayne, Indiana 46802

John H. Krueckeberg, their attorney

(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

NOTE FOLLOWING RULES :

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

John H. Krueckeberg

(Name)

622 S. Calhoun
Fort Wayne, Indiana 46802

(Address)

AC219 422-3565

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,
INDIANA, 46802 Telephone Number: 423-7571

RESTRICTIVE COVENANT

Viola Goeglein, being over the age of eighteen (18) years, of Allen County, Indiana, does hereby covenant, in compliance with certain conditions established by the Plan Commission of the City of Fort Wayne, Indiana, with regard to the re-zoning of Tract B herein described to the classification of "B3B," generally known as a general business classification under City Zoning Chapter 36 Ordinance G.O. # 2836 enacted March 1, 1955 that Tract B will not, without the prior consent of the City Plan Commission of Fort Wayne (or its successor body) after public notice and hearing, be used for purposes other than the following:

- Public hall
- Restaurant
- Private club
- Parking
- Delicatessen
- Permitted single family residential uses
- Picnics and such recreational games and activities as are an adjunct of such picnics

The undersigned further covenants that Tract A, as hereinafter described, which adjoins said Tract B on three sides shall not be used for purposes other than those presently permitted under the classification of "R-A," generally known as Residential A classification under City Ordinance 70-G-97 enacted August 25, 1970, and the undersigned waives any right hereafter to seek to have the same reclassified; and the undersigned further covenants with regard to Tract A that it will not extend Bear Paw Lane, a dedicated street which adjoins Tract A on the southwest, into Tract A except to serve residential uses, without obtaining prior approval of the City Plan Commission; providing, however, that these restrictions will not prevent any portion of Tract A which is now being and has heretofore been used as an established non-conforming use from continuing to be used as a non-conforming use, and, furthermore, these restrictions will not prevent improvement of areas presently being used for parking, nor prevent additional parking improvements upon the area lying directly behind and abutting Tract B to the additional depth of 100 feet.

The real estate referred to herein lies in Allen County, Indiana, and is specifically described as follows:

TRACT A:

A part of Lots 1, 2, 5 and 6 in J. Browning's Subdivision of that part of Kercheval Reserve lying in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of Out Lot 2 in J. Browning's Subdivision, said corner also being the Southeast corner of Lake Forest Addition, Section 1, thence North $0^{\circ} 24' 36''$ West 262.8 feet; thence South $89^{\circ} 23' 36''$ East 1,029.91 feet to the centerline of the Waltke Ditch, said point also being the Northeast corner of Lake Forest Extended Addition, III, said point also being the point of beginning for the tract herein described; thence South $89^{\circ} 47'$ East 694 feet to a point on the centerline of the existing pavement of the Maysville Road; thence South $22^{\circ} 57'$ West 520 feet along the centerline of Maysville Road, a distance of 750 feet; thence Northwesterly a distance of 221 feet more or less to the Northeast corner of Lake Forest Extended Addition, Section IV; thence North $39^{\circ} 33'$ West a distance of 625.45 feet to a point on the centerline of the Waltke Ditch; thence North $34^{\circ} 23'$ East along the centerline of the Waltke Ditch, a distance of 344 feet to the point of beginning, except Tract B, herein below described, said Tract A containing 7.5 acres of land more or less.

TRACT B:

A tract of land located in part of Browning's Subdivision of that part of Kercheval Reserve, lying in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of Out Lot Two (2) in J. Browning's Subdivision of Kercheval Reserve, said corner also being the Southeast corner of Lake Forest Addition-Section I; thence North $00^{\circ} 24' 36''$ West-262.8 feet; thence South $89^{\circ} 22' 36''$ East-1029.91 feet to the centerline of the Walke Ditch; thence South $89^{\circ} 47'$ East-694.0 feet to the centerline of the existing pavement of the Maysville Road; thence South $22^{\circ} 57''$ West on said Road centerline a distance of 325.0 feet to the true point of beginning (P.O.B.) of this described tract of land; thence North $68^{\circ} 55'$ West-206.8 feet; thence South $21^{\circ} 12'$ West-300.85 feet; thence South $64^{\circ} 49' 48''$ East-197.66 feet to the centerline of aforesaid Road; thence North $22^{\circ} 57'$ East on said Road centerline a distance of 315.1 feet to the place of beginning (P.O.B.); containing 1.429 acres more or less.

These covenants shall run with the land and shall be binding upon the personal representatives, successors and assigns of the undersigned, and may be enforceable by the City of Fort Wayne, its Plan Commission, its chief executive staff member or any of their respective successors and by any aggrieved resident in Lake Forest Extended Addition's Section IV and V by injunctive relief.

The undersigned represents that she is the sole owner of the fee simple title to the above described real estate.

IN WITNESS WHEREOF, I have put my hand and seal this 24 day of May, 1976.

Viola Goeglein
VIOLA GOEGLIN

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said county and state, this 24th day of May, 1976, personally appeared Viola Goeglein and acknowledged execution of the foregoing Restrictive Covenant as her voluntary act and deed for the uses and purposes therein stated.

Stephen J. Lerch
NOTARY PUBLIC Stephen J. Lerch

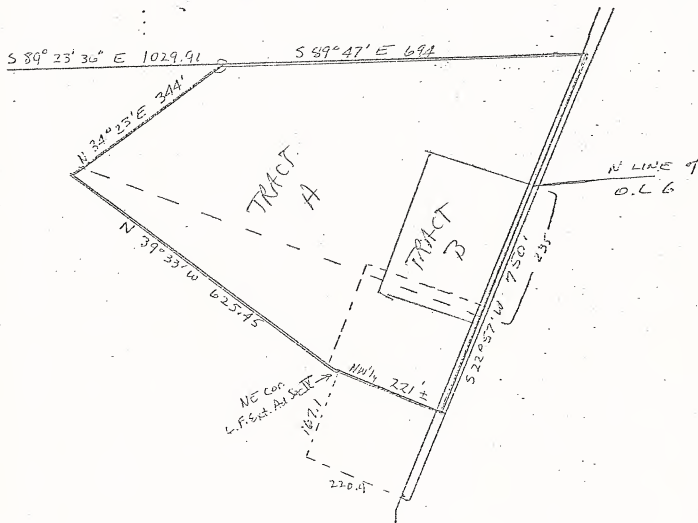
My Commission Expires:

Sept. 12, 1979

This instrument was prepared by John H. Krueckeberg, Attorney, 622 South Calhoun Street, Fort Wayne, Indiana 46802.

TRACT A

Commencing at the Southwest corner of Out Lot 2 in J. Browning's Subdivision, said corner also being the Southeast corner of Lake Forest Addition, Section 1, thence North 0° 24' 36" West 262.8 feet; thence South 89° 23' 36" East 1,029.91 feet to the centerline of the Waltke Ditch, said point also being the Northeast corner of Lake Forest Extended Addition, III, said point also being the point of beginning for the tract herein described; thence South 89° 47' East 694 feet to a point on the centerline of the existing pavement of the Maysville Road; thence South 22° 57' West 520 feet along the centerline of the Maysville Road, a distance of 750 feet; thence Northwesterly a distance of 221 feet more or less to the Northeast corner of Lake Forest Extended Addition, Section IV; thence North 39° 33' West a distance of 625.45 feet to a point on the centerline of the Waltke Ditch; thence North 34° 23' East along the centerline of the Waltke Ditch, a distance of 344 feet to the point of beginning, except Tract B, herein below described, said Tract A containing 7.5 acres of land more or less.



INDIANA

MICHIGAN

OHIO

SURVEYS

TOPOGRAPHIC & UTILITY MAPPING

LAND PLANNING

SUBDIVISIONS

CERTIFICATE OF SURVEY

THE UNDERSIGNED, AND OTHERS HEREIN VERIFIED AS TRUSTED PUBLIC LAND SURVEYORS OF THE REAL ESTATE SHOWN AND DESCRIBED BELOW, MEASUREMENTS WERE MADE AND COMPUTATIONS CALCULATED AS SHOWN HEREON IN ACCORDANCE WITH THE TRUE AND ESTABLISHED LINES OF THE PROPERTY DESCRIBED AND IN CONFORMITY WITH THE RECORDS IN THE OFFICE OF THE COUNTY RECORDER, Allen County, Indiana. NO ENCUMBRANCES EXISTED EXCEPT AS NOTED BELOW.

THE DESCRIPTION OF THE REAL ESTATE IS AS FOLLOWS: TO-WIT:

LEGAL DESCRIPTION FOR REZONING

TRACT B

A tract of land located in part of Browning's Subdivision of that part of Kercheval Reserve, lying in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of Out Lot Two(2) in J. Browning's Subdivision of Kercheval Reserve, said corner also being the SouthEast corner of Lake Forest Addition-Section I; thence North 00°24'36"West-262.8 feet; thence South 89°23'36"East-1029.91 feet to the centerline of the Walke Ditch; thence South 89°47'East-694.0 feet to the centerline of the existing pavement of the Maysville Road; thence South 22°57'West on said Road centerline a distance of 325.0 feet to the true point of beginning(P.O.B.) of this described tract of land; thence North 68°55'West-206.8 feet; thence South 21°12'West-300.85 feet; thence South 64°49'48"East-197.66 feet to the centerline of aforesaid Road; thence North 22°57'East on said Road centerline a distance of 315.1 feet to the place of beginning(P.O.B.); containing 1.429 acres more or less.

SUBJECT TO the legal rights of way of the Maysville Road thereon.)

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 2-76-03-32DEPARTMENT REQUESTING ORDINANCE Community Development and PlanningSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property:

A parcel of ground containing nine (9) acres, more or less, generally located
on the north side of Lake Forest Extended, Section IV, east of the Waltke Ditch,
west side of Maysville Road (Lake Avenue), and approximately 500 feet south of
Turkey Run Drive.

From "RA" to "B3B"EFFECT OF PASSAGE Property is presently zoned an "RA" District - Suburban
Residential, Petitioners are requesting a "B3B" District - General Business.EFFECT OF NON-PASSAGE Property would remain "RA"MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation JN



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

June 10, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates June 14 and June 21, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-76-05-10
General Ordinance No. G-15-76

Bill No. Z-76-04-23
Zoning Map Ordinance No. Z-08-76

Bill No. Z-76-04-22
Zoning Map Ordinance No. Z-07-76

Bill No. Z-76-03-33
Zoning Map Ordinance No. Z-06-76

Bill No. Z-76-03-32
Zoning Map Ordinance No. Z-05-76

Bill No. G-76-05-11
General Ordinance No. G-16-76

Bill No. G-76-05-12
General Ordinance No. G-17-76

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 7

Fort Wayne Common Council
(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

CHARGES

lines.....1.....columns wide equals.....112.....equivalent lines at.....288¢
cents per line

charge for notices containing rule or tabular work (50 per cent of above)

extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

ING COST

single column 11 ems

Size of type.....5½.....point

of insertions.....2.....

Size of quad upon which type is cast.....5½.....

dition and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just
rt of the same has been paid.

Title.....CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } as:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the
undersigned V.E. GERKEN who, being duly sworn, says
that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time s., the dates of publication being
as follows: 6/14-21/76

Subscribed and sworn to before me this 21st day of June 1976

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 8th day of June 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-76-03-32 Zoning Map Ordinance, to-wit:

BILL NO. 2-76-03-32 ZONING MAP ORDINANCE NO. 2-05-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 12 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 34, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 3834 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. 12, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of Lots 1, 2, 3 and 4 in J. Browning's Subdivision of that part of Kercheval Reserve lying in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: Commencing at the South-west corner of Owl Lot 2 in J. Browning's Subdivision, said corner also being the Southeast corner of Lake Forest Addition, Section 1, thence North 0 degrees 34' 36" West 262.8 feet; thence South 89 degrees 23' 34" East 1,029.91 feet to the centerline of the Waite Ditch, said point also being the North-east corner of Lake Forest Extended Addition, III, said point also being the point of beginning for the tract herein described; thence South 89 degrees 47' East 494 feet to a point on the centerline of the existing pavement of the Maysville Road; thence South 22 degrees 27' West 320 feet along the centerline of the Maysville Road, a distance of 750 feet; thence Northwesterly a distance of 221 feet more or less to the Northeast corner of Lake Forest Extended Addition, Section IV; thence North 39 degrees 33' West a distance of 625.45 feet to a point on the centerline of the Waite Ditch; thence North 34 degrees 23' East along the centerline of the Waite Ditch, a distance of 344 feet to the point of beginning, containing nine acres of land more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS
Clerk
Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following votes:
Ayes: Eight
Burs, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols Date: 6-8-76

Charles W. Westerman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-05-76 on the 8th day of June, 1976.

ATTEST: Charles W. Westerman
(Seal) James S. Stier
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of June, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman/ve
City Clerk
Approved and signed by me this 9th day of June, 1976, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-05-76 passed by the Common Council on the 8th day of June, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 9th day of June, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 9th day of June, 1976.

CHARLES W. WESTERMAN

CITY CLERK

Fort Wayne Common Council
(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

110

2

112

COMPUTATION OF CHARGES

112 lines, 1 columns wide equals 112 equivalent lines at .2884 cents per line

\$ 32.26

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 33.76

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date June 21, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

6/14-21/76

Subscribed and sworn to before me this 21st day of June 1976

V. E. Gerken

Notary Public

My commission expires September 28, 1979

COPY OF
MENT HERE

BONE
 AT OFFICE "Take Charge"
 required. Know payroll and
 PROGRAM A
 IBM 360 DCS
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Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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BILL NO Z-76-03-32
ZONING MAP ORDINANCE NO. Z-05-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 12, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 3A, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2834 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. 12, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of Lots 1, 2, 5 and 4 in J. Browning's subdivision of that part of Karchevall Reserve lying in Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: Commencing at the Southwest corner of Out Lot 2 in J. Browning's Subdivision, said corner also being the Southeast corner of Lake Forest Addition, Section 1, thence North 0 degrees 24' 36" West 362.8 feet thence South 89 degrees 23' 36" East 1,029.91 feet to the centerline of the Walke Ditch, said point also being the Northeast corner of Lake Forest Extended Addition, 111, said point also being the point of beginning for the tract herein described; thence South 89 degrees 47' East 494 feet to a point on the centerline of the existing pavement of the Mayville Road; thence South 22 degrees 57' West 350 feet along the centerline of the Mayville Road, a distance of 750 feet; thence Northwesterly a distance of 221 feet more or less to the Northeast corner of Lake Forest Extended Addition, Section IV; thence North 59 degrees 32' West a distance of 685.4 feet to a point on the centerline of the Walke Ditch; thence North 34 degrees 22' East along the centerline of the Walke Ditch, a distance of 344 feet to the point of beginning, containing nine acres of land more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS
Councilman
Read the third time in full and on motion by Burns, seconded by Hings, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols Date: 6-8-76

Charles W. Westerman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-0576 on the 8th day of June, 1976.

ATTEST: Charles W. Westerman
(Seal) James S. Stier
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of June, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk
Approved and signed by me this 9th day of June, 1976, at the hour of 5:00 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-0576 passed by the Common Council on the 8th day of June, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 9th day of June, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 9th day of June, 1976.

CHARLES W. WESTERMAN

CITY CLERK

GES

1 columns wide equals 112 equivalent lines at 288¢ per line

32.26

Charge for notices containing rule or tabular work (50 per cent of above

Extra proofs of publication (50 cents for each proof in excess of two)

1.50

AL AMOUNT OF CLAIM

33.76

COST

11 column 11 ems

Size of type 5½ point

Insertions 2

Size of quad upon which type is cast 5½

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just if the same has been paid.

Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

6/14-21/76

Subscribed and sworn to before me this 21st day of June 1976

My commission expires September 28, 1979

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

110

2

112

COMPUTATION OF CHARGES

112 lines, 1 columns wide equals 112 equivalent lines at 28¢ cents per line

\$ 32.26

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 33.76

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 21, 1976

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows: 6/14-21/76

Subscribed and sworn to before me this 21st day of June 1976

My commission expires September 28, 1979

Notary Public

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